

10/09/01
1054

PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. **7AA208**First Inventor **ANDREAS PEIN**Title **WATER-JET DEVICE SEPARATING
A BIOLOGICAL STRUKTURE**Express Mail Label No. **10117 U.S. 09/973275****APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)

2. Applicant claims small entity status.
See 37 CFR 1.27.

3. Specification [Total Pages **23**]
(preferred arrangement set forth below)

- Descriptive title of the invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

4. Drawing(s) (35 U.S.C. 113) [Total Sheets **3**]

5. Oath or Declaration [Total Pages **1**]

a. Newly executed (original or copy)

b. Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)

i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

6. Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)

- a. Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. paper
- c. Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s))

10. 37 CFR 3.73(b) Statement Power of
(when there is an assignee) Attorney

11. English Translation Document (if applicable)

12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS
Citations

13. Preliminary Amendment

14. Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)

15. Certified Copy of Priority Document(s)
(if foreign priority is claimed)

16. Request and Certification under 35 U.S.C. 122
(b)(2)(B)(i). Applicant must attach form PTO/SB/35
or its equivalent.

17. Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation Divisional Continuation-in-part (CIP)

of prior application No.: _____

Prior application information: Examiner _____

Group Art Unit _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

Customer Number or Bar Code Label



Correspondence address below

| | | | |
|---------|----------------------------------|----------|--|
| Name | 27845 PATENT TRADEMARK OFFICE | | |
| Address | | | |
| City | State | Zip Code | |
| Country | Telephone | Fax | |

| | | | |
|-------------------|-----------------|-----------------------------------|-----------------|
| Name (Print/Type) | Horst M. Kasper | Registration No. (Attorney/Agent) | 28,559 |
| Signature | | | Date 10-08-2001 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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J1062 U.S. PTO

10-10-01

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

10/09/01
J1062 U.S. PTO
509/973275

Applicant(s): Andrea Pein

Serial No:

Filing Date:

Title: WATER-JET DEVICE FOR SEPARATING A BIOLOGICAL STRUCTURE

Examiner: Art Unit:

October 8, 2001

Attorney's Docket No.: JAA208

TRANSMITTAL LETTER

Hon. Commissioner of Patents and Trademarks

BOX Patent Application

Washington, D.C. 20231

SIR:

Transmitted herewith for filing is:

<X> Utility Patent Application Transmittal (Form PTO/SB/05)
<X> Fee Transmittal for FY 2002 (Form PTO/SB/17)
<X> Specification (23 pages)
<X> 3 Sheets of Drawings
<X> Translation International PCT Application, No. PCT/EP00/02994 (17 pages + 2 drawing sheets)
<X> Translation of Annexes to IPER, PCT Application No. PCT/EP00/02994 (3 pages)

Basic fee: \$740.00

TOTAL CLAIMS: 12 - 20 = X \$ 18.00 = \$

INDEPENDENT CLAIMS: 2 - 3 = X \$ 84.00 = \$

<X> Applicant claims small entity status. The fees indicated above are reduced by 1/2

<X> Request to Grant Filing Date under 37 C.F.R. 1.53 (4 pages)

<X> Form PTO-1449

<X> Copy of the International Search Report

<X> Fees in the amount of \$370.00 are to be charged to a credit card. Form PTO-2038 is enclosed

(X) The applicant hereby petitions the Commissioner of Patents and Trademarks to extend the time for response to any Office Action outstanding in the above captioned matter as necessary to avoid abandonment of the application. Please charge my deposit account No.11-0224 in the amount required to cover the cost of the extension. Any deficiency or overpayment should be charged or credited to the above account.

(X) The Commissioner is hereby authorized to charge any fees under 35 U.S.C. 1.16, and 1.17, after a mailing of a Notice of Allowance under 35 USC 1.18 or any additional fees which may be required during the entire pendency of the application, or credit any overpayment, to Acct. No.11-0224. A duplicate copy of this sheet is enclosed. If and only if account funds should be insufficient, immediately contact our associate, Lisa Zumwalt, at (703)415-0579, who will pay immediately to avoid deprivation of rights.

() Please charge my Deposit Account No.11-0224 in the amount of \$_____. A duplicate copy of this sheet is enclosed.

A signature or signatures required for the above recited document(s) is (are) provided herebelow. Such signature(s) also provide(s) ratification for any required signature appearing to be defective in the above recited document(s).



Horst M. Kasper, 13 Forest Drive, Warren, N.J.07059
Reg. No. 28,559 Tel.(908)526-1717

Express Mail Certification:

I hereby certify that the correspondence attached hereto is being deposited with the USPS "Express Mail Post Office to Addressee" on the date indicated below and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231,

Deposit Date: 9th Oct 2001 "Express Mail Mailing Label No": TB 173 618 23605

Signature: Horst M. Kasper Date: 9th Oct 2001

*%Pci1:d:trans1(JAA208T1(October 8, 2001(tm

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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 370.00)

Complete If Known

| | |
|----------------------|--------------|
| Application Number | |
| Filing Date | |
| First Named Inventor | ANDREAS PEIN |
| Examiner Name | |
| Group Art Unit | |
| Attorney Docket No. | JAA 208 |

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **11-0224**
Deposit Account Name **Horst M. Kasper**

Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17

Applicant claims small entity status.
See 37 CFR 1.27

2. Payment Enclosed:

Check Credit card Money Order Other

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description | Fee Paid |
|---------------------------|----------|----------|----------|--|----------|
| 105 | 130 | 205 | 65 | Surcharge - late filing fee or oath | |
| 127 | 50 | 227 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 139 | 130 | 139 | 130 | Non-English specification | |
| 147 | 2,520 | 147 | 2,520 | For filing a request for <i>ex parte</i> reexamination | |
| 112 | 920* | 112 | 920* | Requesting publication of SIR prior to Examiner action | |
| 113 | 1,840* | 113 | 1,840* | Requesting publication of SIR after Examiner action | |
| 115 | 110 | 215 | 55 | Extension for reply within first month | |
| 116 | 400 | 216 | 200 | Extension for reply within second month | |
| 117 | 920 | 217 | 460 | Extension for reply within third month | |
| 118 | 1,440 | 218 | 720 | Extension for reply within fourth month | |
| 128 | 1,960 | 228 | 980 | Extension for reply within fifth month | |
| 119 | 320 | 219 | 160 | Notice of Appeal | |
| 120 | 320 | 220 | 160 | Filing a brief in support of an appeal | |
| 121 | 280 | 221 | 140 | Request for oral hearing | |
| 138 | 1,510 | 138 | 1,510 | Petition to institute a public use proceeding | |
| 140 | 110 | 240 | 55 | Petition to revive - unavoidable | |
| 141 | 1,280 | 241 | 640 | Petition to revive - unintentional | |
| 142 | 1,280 | 242 | 640 | Utility issue fee (or reissue) | |
| 143 | 460 | 243 | 230 | Design issue fee | |
| 144 | 620 | 244 | 310 | Plant issue fee | |
| 122 | 130 | 122 | 130 | Petitions to the Commissioner | |
| 123 | 50 | 123 | 50 | Processing fee under 37 CFR 1.17(q) | |
| 126 | 180 | 126 | 180 | Submission of Information Disclosure Stmt | |
| 581 | 40 | 581 | 40 | Recording each patent assignment per property (times number of properties) | |
| 146 | 740 | 246 | 370 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 149 | 740 | 249 | 370 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 179 | 740 | 279 | 370 | Request for Continued Examination (RCE) | |
| 169 | 900 | 169 | 900 | Request for expedited examination of a design application | |
| Other fee (specify) _____ | | | | | |

SUBTOTAL (1) (\$ 370)

2. EXTRA CLAIM FEES

| | | | | | | | |
|--------------------|-----------|---------|----------------------|---|----------------------|---|----------------------|
| Total Claims | 12 | -20** = | <input type="text"/> | X | <input type="text"/> | = | <input type="text"/> |
| Independent Claims | 2 | - 3** = | <input type="text"/> | X | <input type="text"/> | = | <input type="text"/> |
| Multiple Dependent | | | <input type="text"/> | | <input type="text"/> | = | <input type="text"/> |

| | | | | |
|----------------------------|----------------------------|-----------------|-----|--|
| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | | |
| 103 | 18 | 203 | 9 | Claims in excess of 20 |
| 102 | 84 | 202 | 42 | Independent claims in excess of 3 |
| 104 | 280 | 204 | 140 | Multiple dependent claim, if not paid |
| 109 | 84 | 209 | 42 | ** Reissue independent claims over original patent |
| 110 | 18 | 210 | 9 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SUBMITTED BY

Complete (if applicable)

| | | | | | |
|-------------------|------------------------|-----------------------------------|--------|-----------|---------------|
| Name (Print/Type) | Horst M. Kasper | Registration No. (Attorney/Agent) | 28,559 | Telephone | (908)526-1717 |
| Signature | <i>Horst M. Kasper</i> | | | Date | 10-08-2001 |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Andrea Pein

Serial No: Filing Date:

Title: WATER-JET DEVICE FOR SEPARATING A BIOLOGICAL
STRUCTURE

Examiner: Art Unit:

October 8, 2001

Attorney's Docket No.: JAA208

***REQUEST TO GRANT FILING DATE
UNDER 37 CFR 1.53***

Hon. Commissioner of Patents and Trademarks
Box PATENT APPLICATION
Washington, D.C. 20231

SIR

The inventor, Andreas Pein, has made an invention entitled:
*“WATER-JET DEVICE FOR SEPARATING A BIOLOGICAL
STRUCTURE”.*

The undersigned did not receive timely a properly executed declaration by said inventor to be filed with this application. The undersigned respectfully requests that the enclosed application for patent be

accepted and that a filing date be granted. It is further petitioned that any extensions of time be granted as they may become necessary, in particular in connection with the timely filing of required declarations, and the United States Patent and Trademark Office is authorized to charge any fees required to deposit account 11-0224.

Applicant is enclosing a stamped self-addressed postcard with a summary relating to this filing. It is respectfully requested that this postcard receive the date-stamp and Serial Number stamp of the United States Patent and Trademark Office and then be promptly deposited with the United States Postal Service. If such card should not be found in the application papers submitted, then Applicant herewith inquires about the status of this application and requests that corresponding status information be mailed to the undersigned.

The application includes a specification with pages consecutively numbered and at least one claim.

For purposes of paying the required fee a check is enclosed. Any fees required in addition are requested to be charged to Deposit account # 11-0224. It is petitioned that any time extension which might be required in connection with the filing of this application or in connection with any papers submitted at a later point in time relating to this application be granted.

Respectfully submitted,

Andreas Pein

By: Horst M. Kasper
Horst M. Kasper, his attorney,
13 Forest Drive, Warren, N.J. 07059
Tel. (908)526-1717; Reg.No. 28,559
Attorney's Docket No.: JAA208

STATUS INQUIRY:

The above captioned application is

- < > incomplete
- < > complete
- < > pending

Serial No:..... Filing Date:.....

*%pt1:patinc(JAA208R1(October 8, 2001(tm